

REMARKS

The indication of allowable subject matter in claims 9 and 11 is acknowledged and appreciated. Accordingly, claims 9 and 11 have been rewritten into independent form. In view of the following remarks, it is respectfully submitted that all claims are in condition for allowance.

Claims 1-8 and 10 were rejected under 35 U.S.C. § 102(e) as being anticipated by Lin et al. '380 ("Lin"). Claims 1, 8 and 10 are independent. This rejection is respectfully traversed for the following reasons.

Claim 1 recites in pertinent part, "setting the provided LSI device to a development mode based on an *inherent* key information, *which is implemented in the LSI device in advance*" (emphasis added); claim 8 similarly recites in pertinent part, "the development LSI device includes a secure memory for storing encrypted common key information regarding a raw common key, *which is implemented in the LSI device in advance*" (emphasis added); and claim 10 similarly recites in pertinent part, "a secure memory for storing encrypted common key information regarding a raw common key, *which is implemented in the LSI device in advance*" (emphasis added). It is respectfully submitted that Lin is completely silent as to such a feature. In direct contrast, Lin expressly discloses accessing a *public* key rather than one which is implemented in the alleged LSI device 104 in advance. Indeed, Lin discloses at paragraph 12 (emphasis added):

To facilitate security operations in the mobile communication device 104, a *public* key infrastructure service provider has a machine or server 118 operatively coupled to the Internet, and is such that other machines operatively coupled to the Internet can transact with the server 118. Generally, such service providers provide encryption technologies such as public keys and authentication services including digital encryption certificates and code signing services for use by software and code developers. Such products and services are used by target devices to verify the authenticity of software and code obtained over public networks.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently (noting that "inherency may not be established by probabilities or possibilities", *Scaltech Inc. v. Retec/Tetra*, 178 F.3d 1378 (Fed. Cir. 1999)), in a single prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the forgoing, it is submitted that Lin does not anticipate claims 1, 8 and 10, nor any claim dependent thereon.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as the independent claims are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination.

Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. § 102 be withdrawn.

CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's

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amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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